

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 7, 12, 17, and 22 are presently active in this case, Claims 1, 7, 12, and 17 having been amended, Claims 2-6, 8-11, 13-16, and 18-21 canceled, and Claim 22 added by the present amendment.

In the outstanding Official Action, the title was objected to as being insufficiently descriptive; Claims 1-11 were objected to as including informalities requiring correction; Claims 1, 2, 4, 6, 7, 8, 10, 12, 13, 15, 17, 18, and 20 were rejected under 35 U.S.C. 102(b) as being anticipated by Gotoh et al. (USP 6,581,167, hereinafter called "Gotoh'167"); Claims 3, 9, 14, and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gotoh'167 and further in view of Official notice; Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gotoh'167 and judicial notice, and further in view of JP 2002-288938; Claims 11 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gotoh'167, and further in view of JP 09-213011; and Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gotoh'167 and further in view of JP 2000-149256.

In response to the objection to the Title, the title has been amended to be consistent with the claimed invention. Accordingly, the objection to the title is believed to have been overcome.

In response to the objection to Claims 1-11 in regard to the term "unit", Applicants point out that a reading unit in Claim 7 corresponds to a laser 4, collimator lens 5, PBS 6, quarter wave plate 7, objective lens 8, focusing lens 9, photodetector 10, signal processing circuit 11, and demodulation circuit 12. A reproduction unit in the Claim 7 corresponds to a signal processing circuit 11, demodulation circuit 12, and main controller 20. First and second recording units in the Claim 22 correspond to a laser 4, collimator lens 5, PBS 6, quarter wave plate 7, objective lens 8, focusing lens 9, photodetector 10, and main controller 20. Accordingly, Applicants' disclosure supports use of the terminology "unit" and the objection is traversed on that basis.

In light of the several grounds for rejection, the claims have been amended to define the subject invention in terms of a information storage medium comprising defect

management area sets, each defect management area set including first (DMA0 in FIG. 12 = DMA set #1-1 in FIG.16 and FIG.19 = DMA1-1 in FIG. 21), second (DMA0 in FIG. 12 = DMA set #2-1 in FIG.16 and FIG.19 = DMA2-1 in FIG. 21), third (DMA0 in FIG. 12 = DMA set #3-1 in FIG.16 and FIG.19 = DMA3-1 in FIG. 21), and fourth (DMA0 in FIG. 12 = DMA set #4-1 in FIG.16 and FIG.19 = DMA4-1 in FIG. 21) defect management areas. On the basis of detection of a current defect management area set (DMA set #1-1, #2-1, #3-1, and #4-1 in FIG.16) included in the defect management area sets, the current defect management area set is replaced to the next defect management area set (DMA set #1-2, #2-2, #3-2, and #4-2 in FIG.16) of the current defect management area set. As recited in the amended claims, if a defect is detected only in one of the first, second, third, and fourth defect management areas included in the current defect management area set, all the defect management information recorded on the first, second, third, and fourth defect management areas included in the current defect management area set are recorded on the first, second, third, and fourth defect management areas included in the next defect management area set. No new matter has been added by the present amendment.

If only to put a defect management area to effective use is intended, of the first, second, third, and fourth defect management areas included in the current defect management area set, only the defect management information recorded on the first defect management area in which a defect is detected is recorded in the first defect management area included in the next defect management area set. However, in this method, the defect management becomes complicated.

For example, suppose that when a defect is detected only in the first defect management area included in the current defect management area set, only the defect management information recorded on the first defect management area included in the current defect management area set is recorded on the first defect management area included in the next defect management area set and the defect management information recorded on the second, third, and fourth defect management areas included in the current defect management area set is not recorded. In this case, the first defect management area currently used in the current defect management area set is placed to the first defect management area in the next defect management area set, while the second, third, and fourth defect management areas currently used in the current defect management area set is not placed. In

order to avoid this situation (that is, in order to avoid complicating the defect management), according to the claimed invention, if a defect is detected only in one of the first, second, third, and fourth defect management area included in the current defect management area set, all the defect management information recorded on the first, second, third, and fourth defect management areas included in the current defect management area set are recorded on the first, second, third, and fourth defect management areas included in the next defect management area set.

In addition, as shown in FIG. 27 (see the middle and lower tiers), the second defect management area is arranged next to the first defect management area, and the fourth defect management area is arranged next to the third defect management area. Due to these arrangements, it is possible to increase access efficiencies, as disclosed on line 17 of page 33 to line 8 of page 34 of the specification.

Gotoh'167 does not disclose the above-stated technique of the claimed invention, that is, the information storage medium comprising defect management area sets, in which a replacement process is performed without complicating defect management. Further, Gotoh'167 does not disclose a data structure to achieve outstanding access efficiencies. Applicants do not consider that the deficiencies of Gotoh'167 are remedied by the remaining cited prior art. Accordingly, the outstanding grounds for rejection are traversed and withdrawal thereof is respectfully requested.

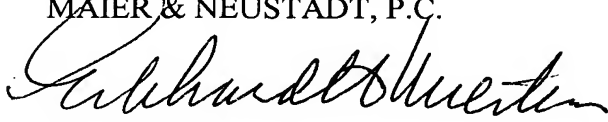
Consequently, in view of the present amendment and in light of the above comments, no further issues are believed to be outstanding, and the present application is believed to be

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in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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